

## **REMARKS**

### **Amendments**

#### ***Amendments to the Specification***

The Examiner requested that all references to Appendix A be deleted from the Specification. Appendix A is a copy of a co-filed application, now U.S. Patent number 5,628,013, which was filed with the parent of the present application. Applicant has amended the Specification to identify the '013 patent and to incorporate it by reference.

Applicant has further amended the Specification to include the U.S. Patent numbers of the parent and co-filed patent applications.

### **Rejections**

#### ***Non-Statutory Double Patenting Rejections***

##### **Claims 1-4, 6-19 and 56-63**

Claims 1-4, 6-19 and 56-63 stand rejected as unpatentable over claims 2-5 of U.S. Patent No. 5,448,735 in view of Frankel et al. (U.S. Patent 5,283,900). Without admitting the validity of the rejection and without admitting that any finding or determination with respect to the validity of the '735 patent will affect the validity of any patent issuing from the present application, Applicant is submitting a terminal disclaimer herewith to overcome the obviousness-type double patenting rejection of claims 1-4, 6-19 and 56-63.

## **SUMMARY**

Claims 1-4, 6-19 and 56-63 are currently pending. In view of the foregoing amendments and remarks, Applicant respectfully submits that the pending claims are in condition for allowance. Applicant respectfully requests reconsideration of the application and allowance of the pending claims.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Sue Holloway at (408) 720-3476.

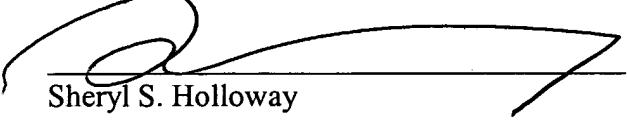
**Deposit Account Authorization**

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,

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& ZAFMAN LLP

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